365

PART IV

Section 2-C

RULES, ORDERS AND NOTIFICATIONS UNDER MYSORE ACTS AND ORDINANCES.

NOTIFICATIONS.

No. L.S. 1700—L.W. 61-51-4, Bangalore, dated 27th July 1951.

The draft of the Industrial Statistics (Labour) Rules 1951, which it is proposed to make in exercise of powers conferred by sub-section (1) of Section 12 of the Industrial Statistics (Central) Act, 1942 (Act No. XIX of 1942), is hereby published for the information of all persons likely to be affected thereby.

Notice is hereby given that objections or suggestions, if any, thereon may be forwarded to the Secretary to Government, Law Department, through the Director of Industries and Commerce in Mysore, Bangalore, within a period of one month from the date of publication of the Notification in the Official Gazette. Objections or suggestions received thereafter shall not be considered.

The Industrial Statistics (Labour) Rules, 1951.

1. *Short Title and Commencement.*—(1) These rules may be called the Industrial Statistics (Labour) Rules, 1951.

(2) They shall come into force at once.

2. *Definitions.*—In these rules unless the context otherwise requires

(*a*) "Act" means the Industrial Statistics Act, 1942 (XIX of 1942);

(*b*) "employer" means:

(i) in the case of a factory, the manager nominated under clause (*f*) of sub-section (1) of Section 7 of the Factories Act, 1948 (LXIII of 1948);

(ii) in the case of any other industrial establishment any person responsible for the supervision, control or management of the establishment;

(*c*) "form" means a form set forth in the schedule annexed hereto;

(*d*) "industrial establishment" means:

(i) a "factory" as defined in clause (*m*) of Section 2 of the Factories Act, 1948 (LXIII of 1948);

(ii) a "tramway" constructed under the Indian Tramways Act, 1886 (XI of 1886), or any special Act relating to tramways;

(iii) a "port" specified in the first schedule appended to the Indian Ports Act, 1908 (XV of 1908);

(iv) a "plantation" used or intended to be used for the cultivation of tea, coffee, rubber, or cinchona, or for any purpose connected therewith; and on which twenty or more persons are employed for that purpose.

(*e*) "Quarter" means a period comprising three months ending on the 31st March, 30th June, 30th September or 31st December; and

(*f*) "Statistics Authority" means the officer appointed under Section 4 of the Act to be the Statistics Authority for the purposes of collecting statistics in respect of the matters specified in clause (*b*) of sub-section (1) of Section 3 of the Act.

3. *Service of Notice on the Employer by the Statistics Authority.*—(1) The Statistics Authority shall:

(i) within two months from the date of the commencement of these rules, or

(ii) if it is not possible to do so for any unavoidable reason, as soon as possible thereafter,

serve a notice on each employer requiring him to furnish to the Statistics Authority in duplicate:

(*a*) quarterly returns in the appropriate form; an

(*b*) statements showing the details of revisions in wages and allowances, and of periodic bonus granted to the workers together with the

conditions of eligibility to such bonuses as and when such revisions are made or bonuses granted;

Provided that the Statistics Authority shall, in the case of an industrial establishment which is not in existence at the time of commencement of these rules, serve the said notice on the employer as soon as may be, after the coming into existence of the said establishment requiring him to furnish the said returns and statements in duplicate, to the Statistics Authority by such dates as may be specified in the notice.

(2) The Statistics Authority shall forward with the notice specified in sub-rule (1) an adequate number of forms in which the returns are to be furnished.

(3) Similar notices after the first notice may be served by the Statistics Authority at such intervals as he may decide.

4. *Furnishing of return by the employer.*—(1) Every employer on whom a notice under Rule 3 has been served by the Statistics Authority shall furnish to him in duplicate:

(*a*) the quarterly returns referred to in cluase (*a*) of sub-rule (1) of Rule 3 within one month after the expiry of each quarter; and

(*b*) the statements referred to in clause (*b*) of sub-rule (1) of Rule 3 as and when such revisions are made or such bonuses granted:

Provided that on the representation of the employer, the Statistics Authority may, if he is satisfied that sufficient grounds exist, allow him such extension of time as he may deem fit:

Provided further that where a change takes place in the management of any industrial establishment after the service of the said notice the new employer shall be responsible for the submission of said returns and statements.

(2) The employer shall retain with himself a true copy of each return and statement submitted under sub-rule (1).

5. *Return of notice relating to an industry with which an employer is not connected.*—If an employer connected with any industrial establishment receives with the notice served under sub-rule (1) of Rule 3 forms

relating to an industry with which the establishment is not connected, he shall, within seven days of the receipt of the said notice, return the forms to the Statistics Authority stating the reasons therefor and giving the names of the industry with which the establishment is connected. The Statistics Authority shall thereupon send to the employer within seven days of the receipt of such intimation, the appropriate forms for such industry together with a fresh notice, if necessary, and the employer shall thereafter furnish the returns required therein within the time limits prescribed in Rule 4.

6. *Returns to be furnished in forms supplied for the purpose.*—The returns specified under Rule 3 shall be furnished only in forms supplied by the Statistics Authority, but if the number of forms supplied is not sufficient the employer shall apply to the said authority for the supply of an adequate number of forms in time. If the forms applied for are not supplied by the Statistics Authority in time, the employer may make copies of the forms already supplied.

7. *Method of service of notice and furnishing of returns.*—The Statistics Authority shall serve the notice referred to in sub-rule (1) of Rule 3 of on the employer at his least known address by registered post or through a messenger under a cover entitled "Notice under the Industrial Statistics (Labour) Rules, 1951," and the employer shall furnish the returns and statements specified in sub-rule (1) of Rule 4 by registered post, acknowledgment due, or through a messenger, under a cover entitled "Confidential—Return under the Industrial Statistics (Labour) Rules, 1951".

8. *Information to be furnished in English.*—All information required under Rule 3 shall be furnished in English.

CONFIDENTIAL. **FORM A.** FACTORIES.

To be submitted to the Statistics Authority within one month after the close of the quarter to which the return relates.

THE INDUSTRIAL STATISTICS ACT, 1942.
THE INDUSTRIAL STATISTICS (LABOUR) RULES, 1951.

Return for the quarter ending the ....,19

Name of the factory.....Industry*.....Using power. / Not using power. (Please strike out the term not applicable).

Postal address.....District.....State.....

PART I—RETURN ON EMPLOYMENT ATTENDANCE.

Number of workers on rolls on the last working day of the quarter [*Vide* instruction (a).] ... ... { Men..... / Women..... / Children.....

Number of working days during the quarter [*Vide* instruction (b)] ....

		1st month of the quarter	2nd month of the quarter	3rd month of the quarter
Total number of man-shifts worked [*Vide* instruction (c)] during each month of the quarter	{ Men..... / Women..... / Children.....			
Total number of man-shifts lost on account of absence [*Vide* instruction (d)] during each month of the quarter due to	{ Sickness..... / Accidents..... / Other causes (including statutory and other authorised leave).			
Total number of man-shifts lost through involuntary unemployment [*Vide* instruction (e)] during each month of the quarter.....				

If there are any marked changes in employment attendance, absenteeism, etc. either in the month to month figures or as compared to the previous quarter, please account briefly for the changes.

*Where the factory is engaged in more than one industry, please specify the various industries, and indicate the main industr taking into account the number of workers employed in each case.

PART II—RETURN ON HOURS OF WORK AND EARNINGS.

[The information given in this return should relate to the last month (English Calendar) of the quarter].

Number of working days in the month.....

.....	Average daily attendance during the month [*Vide* instruction (f)]	Aggregate number of man-hours worked during the month [*Vide* instruction (g)]	Total cash earnings during the month [*Vide* instruction (h)]					Estimated money value of concessions in kind earned during the month [*Vide* instruction (j)]
			Basic wages	Dearness allowances	Overtime payments	Other cash payments [*Vide* instruction (i)]	Total	
Men ...								
Women ...								
Children ...								

Normal hours of work.	*Rest intervals.*
1st Shift.—From..... to	From ..... to .....
2nd Shift.—From..... to	From ..... to .....
3rd Shift.—From..... to	From ..... to .....

Please give references to statements regarding revisions in basic wages, allowances, etc., sent during the quarter, if any, in accordance with clause (b) of sub-rule (1) of rule 4.

Please furnish details regarding the scheme of dearness allowance, bonuses, etc., and if the dearnes allowance is linked to the cost of living index, indicate how the amount is calculated.....

Please give in the space provided below a distribution of the number of workers on rolls at the end of the month according to the wage period (*e.g.*, week, fortnight, or any other period) adopted for payment in each case.:

Wage period (please specify).	*No. of workers.*
.....	.....
.....	.....
.....	.....

Certified that the information given above is correct.

Signature .....

Name (in block letters). .....

Designation (in block letters) .....

INSTRUCTIONS.

(*a*) For definition of "Worker" please see Section 2 (1) of the Factories Act, 1948. Workers below 15 years of age should be classified as children. Workers who have completed the 15th year but have not completed the 18th year, if not certified as adults should also be included under children.

(*b*) "Working days" exclude all weekly and other scheduled holidays even if some of the workers or some of the departments are required to work either full time or part of the time on such days unless a majority of the workers in the establishment are working on such day.

(*c*) Total number of man-shifts worked during the month is obtained by adding together the numbers of workers who worked on each shift on each day of the month.

(*d*) Total number of man-shifts lost during the month on account of absence is obtained by adding together the number of workers absent on each shift on each day during the month. Man-shifts lost by absence due to strike, lockout or employer-ordered lay-off should be excluded.

(*e*) Total number of man-shifts lost through involuntary unemployment is obtained by adding together the number of workers who in spite of being on rolls, remained unemployed for want of coal or raw-materials, breakdown of machinery, inadequacy of work, etc., on each shift on each working day of the month.

(*f*) Average daily attendance is obtained by dividing the aggregate number of attendances on all the shifts on all days during the period by the number of working days. Absences in hours need not be considered. Days on which the establishment was closed for whatever cause should not be treated as working day.

(*g*) Aggregate number of man-hours worked during the period is obtained by adding together the numbers of man-hours worked on all shifts on all working days. The number of man-hours worked on each shift is obtained by adding together the numbers of hours worked by each worker on that shift.

(*h*) Please include all cash payments, deductions under the Payment of Wages Act, 1936, and taxes payable and deducted, if any. Contributions to provident funds, pensions, etc., should not be included. The figures should relate to wages, etc., earned during the month.

(*i*) This should include other cash allowances, bonuses, etc., if any, earned during the month. Annual bonuses, etc., should be excluded even if they are paid during the month.

(*j*) This should be worked out by taking into consideration the difference between the wholsale prices of the articles such as foodgrains, cloth, fuel, etc., which are supplied free to workers or at concessional prices and the actual prices at which they are supplied. The details under each head may kindly be furnished separately. The value of uniforms supplied to workers while on work and the cost of amenities provided such as housing, medical aid, etc., should not, however, be included.

CONFIDENTIAL **FORM B.** TRAMWAYS (OTHER THAN WORKSHOPS).

To be submitted to the Statistics Authority within one month after the close of the quarter to which the return relates.

THE INDUSTRIAL STATISTICS ACT, 1942
THE INDUSTRIAL STATISTICS (LABOUR) RULES, 1951.

Return for the quarter ending the....., 195

Name of the establishment.....

Postal address..... District..... State.....

Part I—Return on Employment and Attendance.

Number of workers on rolls at the end of the quarter [*Vide* instruction (*a*)]. { Drivers..... Conductors..... Inspectors..... Other staff.....

	1st Month of the quarter	2nd Month of the quarter	3rd Month of the quarter
Total number of man-shifts worked during each month of the quarter [*Vide* instruction (*b*)].			
Total number of man-shifts lost on account of absence other than on rest days [*Vide* instruction (*c*)] during each month of the quarter due to: Sickness			
Accidents			
Other causes (including statutory and other authorised leave).			

Do you allow weekly holidays to workers?

If not, what is the alternative system of rest days?

How many workers got their full complement of rest during the quarter?

If there is any marked increase or decrease in employment, attendance, or absenteeism, etc., either in the month to month figures or compared to the previous quarter, please briefly account for the changes.

PART II—RETURN ON HOURS OF WORK AND EARNINGS.

[The information given in this return should relate to the last month (English Calendar) of the quarter].

	Average daily attendance during the month [*Vide* instruction (*d*)]	Aggregate number of man-hours worked during the month [*Vide* instruction (*e*)]	Total cash earnings during the month [*Vide* instruction (*f*)]					Estimated money value of concessions in kind earned during the month [*Vide* instruction (*h*)]
			Basic wages	Dearness allowances	Overtime payments	Other cash payments [*Vide* instructions (*g*)]	Total	
Drivers.....								
Conductors.....								
Inspectors.....								
Others.....								
Total.....								

Please indicate the normal daily hours of work, and the rest intervals of various classes of workers.

Please give references to statements regarding revisions in basic wages, allowances, etc., sent during the quarter, if any, in accordance with clause (*b*) of sub-rule (1) of Rule 4.

Please furnish details regarding the schemes of dearness allowance, bonus, etc., and if the dearness allowance is linked with cost of living index, please indicate how the amount is calculated.

Certified that the information given above is correct.

Signature.....

Name (in block letters).....

Designation (in block letters).....

INSTRUCTIONS.

(*a*) "Workers" should include all employees excluding supervisory staff.

(*b*) Total number of man-shifts worked during the month is obtained by adding together the numbers of workers who worked on each shift on each day of the month.

(*c*) Total number of man-shifts absent during the month is obtained by adding together the numbers of workers absent on each shift on each day of the month. Man-shifts lost by absence due to strike, lock-out, or employer-ordered lay-off should be excluded.

(*d*) Average daily attendance is obtained by dividing the aggregate number of attendances on all shifts on all working days during the month by the number of working days.

(*e*) Aggregate number of man-hours worked during the period is obtained by adding together the number of man-hours worked on all shifts on all working days. The number of man-hours worked on each shift is obtained by adding together the numbers of hours worked by each worker on that shift.

(*f*) Please include all cash payments, deductions, and taxes payable and deducted, if any. Contributions to provident funds, pensions, etc., should not be included. The figures should relate to wages, etc. earned during the month.

(*g*) This should include other cash allowances, bonuses, etc., if any, earned during the month. Annual bonuses, etc., should be excluded even if they are paid during the month.

(*h*) This should be worked out by taking into consideration the difference between the wholesale prices of the articles such as foodgrains, cloth, fuel, etc., which are supplied to the workers free or at concessional prices and the actual prices at which they are supplied. The details under each head may kindly be furnished separately. The value of uniform supplied to workers while on work and the cost of amenities provided such as housing, medical aid, etc., should not, however, be included.

quarter to which the return relates.

THE INDUSTRIAL STATISTICS ACT, 1942.

THE INDUSTRIAL STATISTICS (LABOUR) RULES, 1951.

Return for the quarter ending the..... 19

Name of Port..... State.....

Name of employer..... Address.....

PART I—RETURN ON EMPLOYMENT AND ATTENDANCE.

Number of workers on rolls at the end of the quarter..... *Men.* *Women.* *Total.*

Daily-rated	Covered by the Factories Act				...	...		
	Covered by the Indian Railways Act				...	...		
	Others				...	...		
Salaried	Men							
	Women							
Salaried	Men							
	Women							

		1st month of the quarter	2nd month of the quarter	3rd month of the quarter
Total number of man-shifts worked [*Vide* instruction (*b*)] during each month of the quarter	Men			
	Women			
Total number of man-shifts lost on account of absence other than on rest days [*Vide* instruction (*c*)] during each month of the quarter due to	Sickness			
	Accidents			
	Other causes (including statutory and other authorised leave).			

Are the workers allowed weekly rest? .....

If not, what is the system of rest days?

How many workers get their full compliment of weekly rest during the quarter?.....

If there is any marked increase or decrease in employment, attendance, absenteeism, etc., either in the month to month figures or as compared to the previous quarter, please account for it.

IV—5

PART II—RETURN ON HOURS OF WORK AND EARNINGS.

The information given in this return should relate to the last month (English Calendar) of the quarter.

		Average daily attendance during the month [*Vide* instruction (*d*)]	Aggregate number of man-hours worked during the month [*Vide* instruction (*e*)]	Total cash earnings during the month [*Vide* instruction (*f*)]					Estimated money value of concessions in kind earned during the month [*vide* instruction (*h*)].
				Basic wages	Dearness allowance	Over time payments	Other cash payments [*Vide* instruction (*g*)].	Total	
Skilled	Men								
	Women								
Semi-skilled	Men								
	Women								
Un-skilled	Men								
	Women								

Please indicate the normal daily hours of work and the rest intervals.

Please give references to statement regarding revisions in basic wages, allowances, etc., sent during the quarter, if any, in accordance with clause (*b*) of sub-rule (1) of rule 4.

Please furnish details regarding the schemes of dearness allowance, bonuses, etc., and if the dearness allowance is linked with the cost of living index, indicate how the amount is calculated.

Certified that the information given above is correct.

Signature.....

Name (in block letters).....

Designation (in block letters).....

INSTRUCTIONS.

(*a*) "Workers" should include all employees working in the premises of the Port excluding supervisory staff.

(*b*) Total number of man-shifts worked during the month is obtained by adding together the numbers of man-shifts worked on each shift on each day of the month.

(*c*) Total number of man-shifts absent during the month is obtained by adding together the numbers of workers absent on each shift on each day of the month. Man-shifts lost by absence due to strike, lockout, or employer-ordered lay-off should be excluded.

(*d*) Average daily attendance is obtained by dividing the aggregate number of attendances on all shifts on all working days during the month by the number of working days.

(*e*) Aggregate nnmber of man-hours worked during the period is obtained by adding together the number of man-hours worked on all shifts on all working days. The number of man-hours worked on each shift is obtained by adding together the numbers of hours worked by each worker on that shift.

(*f*) Please include all cash payments, deductions and taxes payable and deducted, if any. Contributions to provident funds, pensions, etc., should not be included. The figures should relate to wages, etc., earned during the month.

(*g*) This should include other cash allowances, bonuses, etc., if any, earned during the month. Annual bonuses, etc., should be excluded even if they are paid during the month.

(*h*) This should be worked out by taking into consideration the difference between the wholesale prices of the articles such as cloth, fuel, etc., which are supplied to workers free or at concessional prices and the actual prices at which they are supplied. The details under each head may kindly be furnished separately. The value of uniforms supplied to workers while on work, and the cost of amenities provided such as housing, medical aid, etc., should not, however, be included.

327

CONFIDENTIAL **FORM D.** PLANTATIONS.

To be submitted to the Statistics Authority within one month after the close of the quarter to which the return relates.

THE INDUSTRIAL STATISTICS ACT, 1942.

THE INDUSTRIAL STATISTICS (LABOUR) RULES, 1951.

Return for the quarter ending the .....

Name of the estate ..... Product ..... (Strike out the term not applicable)

Postal address ..... District ..... State .....

PART I.—RETURN ON EMPLOYMENT AND ATTENDANCE.

			1st month of the quarter	2nd month of the quarter	3rd month of the quarter
Number of workers on the books on the last working day of the quarter [*Vide* instruction (a)]	Garden Labour	Men			
		Women			
		Minors			
	Outside Labour				
Number of working days during the quarter [*Vide* instruction (b)]					
Total number of man-days worked [*Vide* instruction (c)] during each month of the quarter.	Garden Labour	Men			
		Women			
		Minors			
	Outside Labour	Men			
		Women			
		Minors			

379

PART II—RETURN OF HOURS OF WORK AND EARNINGS.

[The information given in this return may be supplied by the Employer (Engineer) of the Agent (Manager) to the Inspector.]

Number of working days in the month .....

	Estimated value of concessions to food during the month [Vide instruction (d)]	Total cash earnings during the month [Vide instruction (e)] (i)					Average daily attendance during the month [Vide instruction (e)] (ii)	Remarks (e) [Vide instruction (e)]
		Total [(g)]	Other payments [Vide instruction (g)]	Payments for overtime work extra	Deductions Basic wages			
Garden Labour								
Men								
Women								
Minors								
Outside Labour								
Men								
Women								
Minors								

If there is any marked increase or decrease in employment, attendance, absenteeism, etc., either in the month to month figures or as compared to the previous quarter, please account for it .....

Normal hours of work :—From ..... to .....

Rest intervals :—From ..... to .....

Please give references to enactments regulating relevant conditions, such as weekly rest, casual leave, etc., (1) or (2) above.

Total number of man-days lost on account of absence [*Vide* instruction (*d*)] during each month of the quarter due to

Garden Labour.			
Sickness			
Accidents			
Other causes (including statutory and other authorised leave).			
Outside Labour.			
Sickness			
Accidents			
Other causes (including statutory and other authorised leave).			

Certified that the above return is correct.

Signature .....

Name (in block letters) .....

Designation (in block letters) .....

PART II—RETURN ON HOURS OF WORK AND EARNINGS.

[The information given in this return should relate to the last month (English Calendar) of the quarter].

Number of working days in the month .....

	Average daily attendance during the month [*Vide* instruction (e)]	Total cash earnings during the month [*Vide* instruction (f)]					Estimated money value of concessions in kind earned during the month [*Vide* instruction (h)]
		Basic wages	Dearness allowances	Payments for overtime or extra work	Other payments [*Vide* instruction (g)]	Total	
Garden Labour							
Men.....							
Women.....							
Minors.....							
Outside Labour							
Men.....							
Women.....							
Minors.....							

Normal hours of work :—From.....to.....

Rest intervals :—From.....to.....

Please give references to statements regarding revisions in basic wages, allowances, etc., sent during the quarter, if any, in accordance with clause (*b*) of sub-rule (1) of rule 4.

Please furnish details regarding dearness allowances and bonuses and if the dearness allowance is linked with the cost of living index, please indicate how the amount is calculated.

Certified that the information given above is correct.

Signature .....

Name (in block letters).....

Designation (in block letters).....

INSTRUCTIONS.

(*a*) "Workers" should include all employees in plantation estates excluding supervisory staff. Workers in plantation factories should be excluded. Workers below eighteen should be considered as minors.

(*b*) "Working days" should exclude all scheduled holidays even if some of the workers are required to work on such days.

(*c*) Total number of man-days worked during the month is obtained by adding together the numbers of workers who worked on each working day of the month.

(*d*) Total number of man-days absent is obtained by adding together the numbers of workers absent on each working day of the month. Man-days lost by absence due to strike, lockout, or employer-ordered lay-off, should be excluded.

(*e*) Average daily attendance is obtained by dividing the aggregate total number of attendances on all working days during the month by the number of working days.

(*f*) Please include all cash payments and authorised deductions made, if any. Contributions to the provident funds, pensions, etc., if any, should not be included. The figures should relate to wages, etc., earned during the month.

(*g*) This should include cash allowances, bonuses, etc., if any, earned during the month. Annual bonuses, etc., should be excluded even if they are paid during the month.

(*h*) This should be worked out by taking into consideration the difference between the wholesale prices of the articles such as food grains, cloth, etc., which are supplied to workers free or at concessional prices and the actual prices at which they are supplied. The details under each head may kindly be furnished separately. The value of uniforms supplied to workers while on work and cost of amenities provided such as housing, medical aid, etc., should not, however, be included.